

## **Topsfield Planning Board**

July 16, 2013

Chairman Morrison called the meeting to order at 7:30 PM at the Town Library. Board members present were Martha Morrison, Jeanine Cunniff, Joseph Geller, Steven Hall and Ian De Buy Wenniger. Roberta Knight, Community Development Coordinator was also present.

**Visitors:** Selectman Dick Gandt; Jill Mann, Jeffrey Garber, Thomas Shanks, Larry Beals, Gregory St. Louis, Gary Patch, Holger Luther, Carl Farris, Daniel Ludmar, Frank Iovanella, Michael Walsh, Jim Wilkinson, George Annis, Lucille Annis, and residents of the The Meadows EHD.

**16 Wildes Road/The Meadows:** Attorney Jill Mann representing the New Meadows Development LLC reviewed the plan modifications with the Board. Ms. Mann noted that Fire Captain Charles Denault traversed the development with a fire truck and has signed off the modification of the island relative to fire vehicle accessibility for the development. Ms. Mann then discussed with the Board the developers proposed modification of a four (4) foot bituminous concrete paved sidewalk running only along the right side of the roadway from the Wildes Road entrance, across the paver area along the retaining wall and ending at unit 24, in place of the original plan requiring stone dust paths within the development. Ms. Mann also noted that the developers planned to revert to the original plan using a bituminous concrete berm for the development instead of the recently proposed granite curbing. The respective members gave input relative to the modification and as such, the sidewalk would be extended to Unit 23 and all curbing will be ramped to meet ADA compliance.

Current residents of the development noted the close proximity of the units and the roadway and supported the modification request and requested the Board to consider the minimal requirement.

The Board members also expressed collectively their displeasure that the developers did not adhere to the original plan, placed plantings where the paths were designed to be located, and then after the fact, presented the Board with a modification request.

**Center Island:** Clerk Steven Hall made the motion to accept the current modifications to the center island as signed off by Captain Denault at 16 Wildes Road; seconded by Member Jeanine Cunniff; so voted 5-0.

**Walking Path:** Member Joseph Geller made the motion to accept the design dated July 15, 2013, as amended, for paved sidewalk from Wildes Road, crossing the paver access with bituminous concrete and transitions within meeting ADA compliance; continued thru end of unit 24 and transition to unit 23 and end at border of units 22 and 23; seconded by Member Ian De Buy Wenniger; so voted 5-0.

Amendment No. 6: Re Change in Ownership: Clerk Steven Hall made the motion to approve the change in ownership to New Meadows Development LLC; seconded by Member Joseph Geller; so voted 5-0.

Tri-Partite Agreement: This issue was postponed until the August 6<sup>th</sup> meeting.

**120 Hill Street, Lot 1 Scenic Road:** Chairman Morrison called to order the public hearing in accordance with M.G.L.c.40, § 15C to consider the Special Permit application of Montana Development LLC by Frank Iovanella to widen the existing stonewall opening from 12 feet to 18 feet in order to construct a driveway for a new single family home on Lot 2 at 120 Hill Street, a designated scenic road. Clerk Steven Hall then made the motion to continue the public hearing to August 6, 2013; seconded by Member Jeanine Cunniff; so voted 5-0.

**120 Hill Street, Lot 1 Stormwater & Erosion Control:** Chairman Morrison called to order the public hearing to consider the application of Montana Development LLC by Frank Iovanella for 120 Hill Street, Lot 1 (124 Hill Street) pursuant to the Topsfield General By-laws, Chapter 51, Storm Water Management And Erosion Control for a stormwater management permit for the construction of a single family dwelling, septic system and driveway. Clerk Steven Hall made the motion to continue the public hearing to August 6, 2013; seconded by Member Jeanine Cunniff; so voted 5-0.

**125 Boston Street/75 Salem Road Common Driveway:** Chairman Morrison called to order the public hearing to consider the application of 77 Salem Road LLC for premises located at 125 Boston Street and 75 Salem Road requesting a special permit pursuant to Article IV, Section 4.07J of the Topsfield Zoning By-law for the use of the existing gravel driveway at 75 Salem Road as a common driveway to access 125 Boston Street from Salem Road. Clerk Steven Hall made the motion to continue the public hearing to August 6, 2013; seconded by Member Joseph Geller; so voted 5-0.

**Hickory Beech Roadway Modification:** At this time, Chairman Morrison opened the discussion to consider the proposed roadway modification to Hickory Lane in front of Lot 4 in order to address the drainage issue which has deteriorated the grass strip and roadway. Project engineers Larry Beals and Greg St. Louis discussed the proposed engineering modification which is to replace the grass swale with fortified prefabricated plastic tubes with a gravel base. This option would support vehicles running over the right of way. Mr. Beals noted that he had reviewed this proposal with Highway Superintendent David Bond in the field. Mr. Bond had approved the modification subject to the Board's review and approval. Mr. Beals premised that the use of the grass strip for drainage control assumed the complete development of the subdivision. Allowing the development to be completed would prevent the flow of water sheeting off the undeveloped lots and exacerbating the drainage problem.

Chairman Morrison acknowledged the proposal; however, she questioned as to where the water is coming from, noting that from her observations that the erosion started off Lot 5. She also questioned why the detention pond does not fill up, and rise and fall with rainwater.

Mr. Beals reviewed the path of the drainage from the mid-point on Lot 6 and on Lot 5, the steepest lot in the subdivision into drainage swales in the right-of-way. The detention pond should capture water coming from the upper portion of Lot 4 and from the watershed of the abutting undeveloped acreage in private ownership. Members questioned why the water from Lots 5 and 6 did not empty into the detention pond.

Ms. Morrison stated that more detailed hydraulics were needed for the Hickory Lane roadway which would require a comprehensive review of the infrastructure including modification on private lots to address drainage issues. Chairman Morrison noted that the Board already forwarded a request to Meeting Way Corporation for an updated plan showing all modifications to the original plans.

Conservation Member Holger Luther stated that he has spent many hours at the subdivision relative to the drainage and erosion control issues throughout the subdivision. He recommended a systematic approach be the basis to fix the drainage to the roadway and between the private lots. Currently, there has been a piecemeal approach which has not addressed the basic problem that there is a fragipan layer beneath the surface of the development.

Planning Board members noted that the proposal is a “band aid” approach which may or may not work. It would be a stop gap measure to stop the erosion in front of Lot 4, but would not resolve the overall drainage issues within the subdivision. The basis of the problem is to find the source of the water.

Mr. Beals recommended that he review the hydraulics and provide a detailed engineering plan for the swale at next month’s meeting.

A site visit to review the Hickory Beech roadway in conjunction with stormwater and erosion control review for Lots 4, 10 and 11 was scheduled for Wednesday, July 17<sup>th</sup> at 4:00 PM subject to confirmation from Richard Kosian, peer review engineer for the three lots.

**Lot 4, 10 Hickory Lane Stormwater:** Chairman Morrison called to order the continued public hearing to consider the application of Patch Development LLC by Gary Patch for Lot 4, 10 Hickory Lane pursuant to the Topsfield General By-laws, Chapter 51, Storm Water Management And Erosion Control for a stormwater management permit for the construction of a single family dwelling, septic system and driveway.

Chairman Morrison noted that the Board of Health had not as yet reviewed the septic plan for the lot and then commented on the Beals & Thomas peer review report dated

July 16, 2013 for Lot 4 noting the location of the house to the grading easement, 20 foot front set back and 40 foot back setback. The final report for the three lots would not be available until July 19<sup>th</sup> and at the August 6<sup>th</sup> meeting Beals & Thomas would make a full report to the Board. The Board did not address the waiver requests for the Patch lots.

Member Jeanine Cunniff made the motion to continue the public hearing to August 6, 2013, seconded by Member Joseph Geller; so voted 5-0.

**English Common Walking Path:** Member Joseph Geller noted that currently the path is all overgrown and cannot be used. The Board then authorized Member Geller to contact Alan Berry to discuss the status of the trail.

The meeting was adjourned at 10:17 PM.

Respectfully submitted,

Roberta M. Knight  
Community Development Coordinator